



ANNUAL REPORT

JULY 2023 - JUNE 2024



"Responding to change through reformed laws"

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GOVERNMENT OF SAMOA

The Honourable Speaker
The Legislative Assembly of Samoa

In accordance with Article 35 of the *Constitution of the Independent State of Samoa 1960* and section 9 (3) of the *Law Reform Commission Act 2008*, I lay before you copies of the 15th Annual Report for the Samoa Law Reform Commission for the period of July 2023 to June 2024 for tabling before the Legislative Assembly of Samoa. This report documents activities implemented by the Commission within this period, in accordance with the Act.

Honourable Matamua Seumanu Vasati Sili Pulufana
MINISTER FOR THE SAMOA LAW REFORM COMMISSION



GOVERNMENT OF SAMOA

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In accordance with section 9 (2) of the *Law Reform Commission Act 2008* and Article 35 of the *Constitution of the Independent State of Samoa 1960*, I have the pleasure to present you with copies of the 15th Annual Report for the Samoa Law Reform Commission for the period of July 2023 - June 2024, for tabling before the Legislative Assembly of Samoa. This report documents activities implemented by the Commission within this period, in accordance with the Act.

Tufuga Fagaloa Tufuga Fatu
EXECUTIVE DIRECTOR
SAMOA LAW REFORM COMMISSION

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MINISTER'S FOREWORD



It is with great pleasure that I present the Annual Report of the Samoa Law Reform Commission for the financial year 2023/24. This has been a significant year progressing substantially with two (2) ongoing major reviews. The Commission has successfully completed nine (9) Legal Review Assistance work (previously referred to as AD-HOC References) referred from government ministries and agencies, whilst several more are still in progress.

The dedication and hard work of the Commission members have been instrumental in driving these accomplishments. Their tireless efforts and commitment to excellence have ensured that we continue to make meaningful contributions to our legal system.

The progression of these full reviews and completion of Legal Review Assistance referred to the Commission, not only reflects our commitment to addressing key legal review issues but also underscores our role in shaping context-informed laws for just and equitable legal system for the people of Samoa. These initiatives align with our vision to promote sound law reform that is responsive to the needs of our community.

A notable achievement for the Samoa Law Reform Commission this financial year was the appointment of its new Executive Director, Afioga Tufuga Fagaloa Tufuga Fatu. This top role had been vacant for some 18 months. I am grateful to have Mr. Tufuga at the helm of the Commission, to lead and guide their work going forward.

As we look ahead, I am confident that the Samoa Law Reform Commission will continue to be at the forefront of driving positive change through reformed laws within our legal framework.

I extend my gratitude to all the key partners, stakeholders, government ministries and agencies who have contributed to these achievements and look forward to another year of impactful progress.

As the Minister for the Samoa Law Reform Commission, I am delighted to present the 15th Annual Report for the Financial Year July 2023 – June 2024.

Ma le fa'aaloalo tele.

A handwritten signature in blue ink, appearing to read 'Matamua Seumanu Vasati Sili Pulufana'. The signature is stylized and fluid.

Honourable Matamua Seumanu Vasati Sili Pulufana

MINISTER FOR THE SAMOA LAW REFORM COMMISSION

EXECUTIVE DIRECTOR'S STATEMENT



It is a great honour and a privilege for me to commence my duties as the fourth Executive Director for the Samoa Law Reform Commission since its establishment. It is my pleasure to serve the government and the public through the work of the Commission.

The Samoa Law Reform Commission is an independent statutory agency for the review, reform, and development of the laws of Samoa, to promote Samoan customs and traditions, enhancing the social, cultural, economic, and commercial development of Samoa. In performing the Commission's roles and functions, it also ensures that the laws of Samoa are kept in a modern state which meets the needs of the government and the community, by providing evidence-based research to inform government decisions about the development, reform, and harmonization of Samoan laws and related processes.

This report provides some insights into our operational and financial performance, detailing the activities implemented by the Commission for the financial year 2023/24 and their progress.

The Commission acknowledges with appreciation the commitment and support extended by the Government of Samoa and Cabinet, in particular the Minister of the Samoa Law Reform Commission, Honourable Matamua Seumanu Vasati Sili Pulufana, and the Associate Minister Fesola'i Apulu Tusiupu Tuigamala.

We are thankful to the people of Samoa and churches in our village communities, for their continuous support and collaboration when we travel around the country for public consultations. *Le pa'ia o Samoa i ona tulaga faalupea, faafetai tele le tali mai i taimi o a tatou faatalatalanoaga faalauaitete, i taimi tāua aemaise o le tōfā tatala mai i sa matou faatalauula atu. Faafetai tele mo lo tou sao tāua i le toefuata'iga o tulafono a si o tatou atunuu.*

We also like to extend a heartfelt thanks to all the Government Ministries and Agencies, as well as our Key Partners and all our Stakeholders for their continuous support in our work. We will continue to strive to address each Terms of Reference to respond to and serve the needs of our people and Government. The Commission looks forward to your continued partnership and contribution in the reform of the laws of Samoa, the Samoan way!

The Financial Year 2023/24 brought about challenges for the Commission to overcome, some lessons to be learned and achievements to be celebrated. Despite a continued decline in the number of the Commission's Legal Staff, in faith we chose to press through together to meet our set targets as best as we could, and at the same time engaging strategically with our professional partners in ways to continually improve our outcomes and outputs.

I acknowledge the hard work and dedication of our Commission Team in this financial year, at the end of which we were able to meet our set targets. Some of our collective achievements as a team include, but are not limited to the following:

- i. Completed the compilation of the consultation findings for the Review of Traffic Laws of Samoa, as well as its further research and analysis on additional issues and matters raised during public and stakeholder consultations;
- ii. Completed the draft final report for the Review of Traffic Laws of Samoa;
- iii. Completed a first ever Performance Review and Planning Seminar for the Commission;
- iv. Approval of the Discussion Paper (DP) for the Review of Arms Ordinance 1960 by Cabinet which allowed the Commission to carry out public and stakeholder consultations;

- v. Completed a total of twelve (12) public consultations for Upolu, seven (7) public consultations for Savaii, and two (2) stakeholder consultations for the Review of Arms Ordinance 1960;
- vi. Completed a total of nine (9) Legal Review Assistance (AD-HOC References) referred from government ministries and agencies;
- vii. Completed two (2) Biannual Official Newsletters (The Reformers) and disseminated them to all stakeholders;
- viii. 50% of staff members engaged in professional development training and workshops;
- ix. 89% of the intended participants for the public consultations in both Upolu and Savaii were able to attend;
- x. Four (4) Ministry Quarterly Reports (MQR) completed and submitted to PSC on time;
- xi. SLRC Annual Report July 2022 – June 2023 approved by Cabinet in November 2023 and submitted to Parliament in December 2023; and
- xii. Approval of TAUTAI FUNDING assistance through the Public Service Commission to fund a Capacity Building Program for the Legal Team, and development of a Law Reform Training Manual.

All these deliverables in the financial year 2023/24 contributed enormously in realizing our mandated functions, as well as working towards achieving our Vision and Mission. We have also established a renovated facelift to the frontage of our Office in a professional manner including a new motto; “Responding to change through reformed laws”. This is the essence of our work at the Commission.

The Commission notes with gratitude and appreciation, the collaborative effort and assistance from our Law and Justice Sector partners, ensuring the accessibility to the justice system is improved and harmonized with the governance and integrity of the customary and formal justice system.

Overall, we are thankful to God for building unity and resilience within the Commission through the challenges He allowed us to go through. We are grateful to be able to look back and see highlights, successes and achievements that we can now celebrate. All glory to God!

E tumau pea lo tatou faamoemoe i le Mana Fai Vavega o lo tatou Matai Sili i le Lagi, e tau ai i manū faamoemoega uma, aua le lauliliuina o tulafono mo le lumanai manuia o Samoa.

Faafetai,



Tufuga Fagaloa Tufuga Fatu

EXECUTIVE DIRECTOR

1. INTRODUCTION

1.1 OVERVIEW

The Samoa Law Reform Commission (“Commission”) operates under the leadership of an Executive Director (ED), the administrative head who supervises and directs the Commission’s work.¹ The ED position was vacant for 18 months from 13 September 2022 till 25 March 2024. During this financial year 2023/24 the Public Service Commission through Phase 2 of the Public Sector Structural Review recommended and approved the following:



During this financial year 2023/24 the Public Service Commission through Phase 2 of the Public Sector Structural Review recommended and approved the following:

- Establish the appointment of a three-member Commissioners for SLRC;
- Disestablish 2 Principal Legal Analyst positions and 2 Legal Analyst positions;
- Establish a new Executive Legal Officer (ELO) position;
- Establish a new Senior Human Resource Officer;
- The Executive Legal Assistant position to be rebranded as the Executive Assistant/Receptionist; and
- Disestablish the Senior Administration and Accounts Clerk position once it becomes vacant.

The revised Organizational Structure of the Commission after Phase 2 of this PSC Review sets out a team of eleven (11) permanent staff, three (3) contractual staff, and three (3) member Commissioners; which makes up a total of seventeen (17) staff members.

By the end of this financial year, there was one (1) vacant legal position within the Commission, together with three (3) newly approved Commissioner positions for which some further consultations with the PSC are required, to make a final decision and confirm the way forward. Of the 6 members of the legal team, one senior lawyer (an ELO) is on overseas study leave for one year, and five (5) lawyers including the ED remain in the Commission to carry out the law reform projects. Within the current allocated budget, the Commission



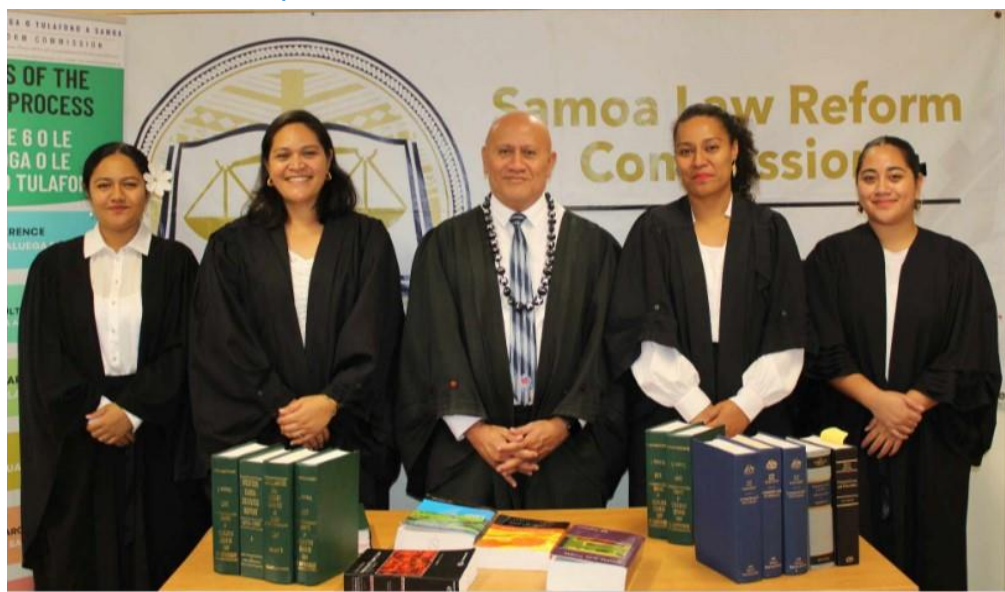
seeks to maintain all these 14 staff members: the three (3) contractual staff, namely the Executive Director, the Assistant Executive Director (AED) and Corporate Services Manager, and eleven (11) permanent staff inclusive of 5 lawyers and 6 corporate support staff members. In addition to these fourteen (14) are the proposed three (3) Commissioners which are still open for further deliberations with PSC.

¹ Law Reform Commission Act 2008, section 10 (Executive Director) – (1) The Executive Director is the administrative head of the Commission and shall supervise and direct the work of the Commission.

The Commission relies on Terms of References (TORs) received from the three (3) sources of TOR as legislated. Accordingly this then determines the extent to which the Commission can meet its performance targets which is influenced from year to year by the number of references referred to the Commission, the prescribed timeframes for these references, the number of lawyers for professional capacity, and the resources made available to conduct them. The Commission may also initiate reform projects where necessary as a result of any current and ongoing review or any arising events.

There is only one (1) Main Output of the Commission called 'Legal Research Analysis and Recommendation'.

1.2 MAIN OUTPUT/DIVISION - LEGAL DIVISION



The budget performance indicators and targets for the Commission are provided under the one (1) main output (Legal Research Analysis and Recommendation) for their implementation. There are different activities identified and set in place to assist the Commission in its

efforts to provide effective and efficient services, which would overall contribute to the achievement of the Commission's strategic direction and the following broad functions:

- i. Research and analyse areas of law considered to be in need of reform;
- ii. Consult with and advise the public of the work of the Commission;
- iii. Provide reports providing its recommendations to the Prime Minister, Minister responsible for the Samoa Law Reform Commission², Cabinet and the Attorney General;
- iv. If recommended in its reports and if capacity allows, to draft new or amending laws for AG approval;
- v. Promote awareness of the laws of Samoa;
- vi. Provide advice to government agencies on reviews conducted; and
- vii. Annual reporting to Legislative Assembly.

These activities are funded by appropriations.

The Legal Division consists of five (5) lawyers and is led by the AED. At the date of this report, one (1) legal position is vacant and has been advertised in the PSC Circular for recruitment.

² As assigned by the Honourable Prime Minister pursuant to Article 35 (Assignment of responsibilities to Ministers) of the Constitution of the Independent State of Samoa 1960.

1.3 SUPPORT OUTPUT/DIVISION – CORPORATE SERVICES DIVISION



The Corporate Services Division is required to provide full support to the Legal Division to ensure continuous, timely and effective implementation of research and reform of the laws of Samoa. The Corporate Services Division is responsible for five key areas of the Office:

- i. Financial Management;
- ii. Human Resource Management;
- iii. Project Coordination;
- iv. Information Communication and Technology; and
- v. General Administration of Public Relations, Reception and Transport arrangements.

The Corporate Services Division is led by the Manager supervising six (6) permanent staff.

2. ROLES AND FUNCTIONS

OUR VISION:

“To pioneer excellence in law reform that is relevant and responsive to the needs of Samoa”

OUR MISSION:

“To facilitate law reform in Samoa by providing pragmatic recommendations based on high quality research, analysis and effective consultation”

The Commission was established in 2008 under the Law Reform Commission Act 2008. The Commission undertakes research and provides recommendations on necessary reforms to the laws under review according to its mandate:

A. Commission’s Core Functions:

- to research and analyse areas of law considered to be in need of reform in accordance with a reference made to it by the Prime Minister, Minister responsible for the Samoa Law Reform Commission³, Cabinet or the Attorney General; or self-initiated by the Commission and endorsed by the Attorney General or the Prime Minister;
- to consult with and advise the public about its work;
- to provide reports providing its recommendations to the Prime Minister, Minister responsible for the Samoa Law Reform Commission⁴, Cabinet and the Attorney General; and arrange for the publication upon Cabinet approval;
- to promote awareness of the laws of Samoa;
- to advise government Ministries and agencies on the manner or content of reviews of the law conducted by those ministries and agencies⁵; and
- Annual Reporting to Legislative Assembly.



B. Commission’s Other Functions:

- if recommended in its reports and where capacity allows, to draft new or amending laws or proposed legal framework for the approval of the Attorney General;
- corporate support services; and participating in working groups, partnerships, committees or boards (led by other Ministries/Agencies).



³ As assigned by the Honourable Prime Minister pursuant to Article 35 (Assignment of responsibilities to Ministers) of the Constitution of the Independent State of Samoa 1960.

⁴ As assigned by the Honourable Prime Minister pursuant to Article 35 (Assignment of responsibilities to Ministers) of the Constitution of the Independent State of Samoa 1960.

⁵ Law Reform Commission Act 2008, section 6 (Functions of the Commission).

The Commission is responsible to the Parliament of Samoa through the Minister for the Samoa Law Reform Commission, pursuant to Article 35 of the Constitution of the Independent State of Samoa.

At the conclusion of each law reform project, the Commission provides a final report with evidence-based recommendations for law reform through its Minister to the Prime Minister, Cabinet, and the Attorney General. This Final Report is then to be tabled before Parliament after Cabinet approval. Overall, the Commission’s role is to facilitate the review, reform, and development of the laws of Samoa in order to:

- promote Samoan customs and traditions;
- enhance the social, cultural, economic and commercial development of Samoa; and
- ensure that the laws of Samoa are kept in a modern state which meets the needs of the Government and the Community.

3. THE LAW REFORM PROCESS

The Commission follows a 6 Stage process in the review and reform of laws referred as stated in Figure 1 below:

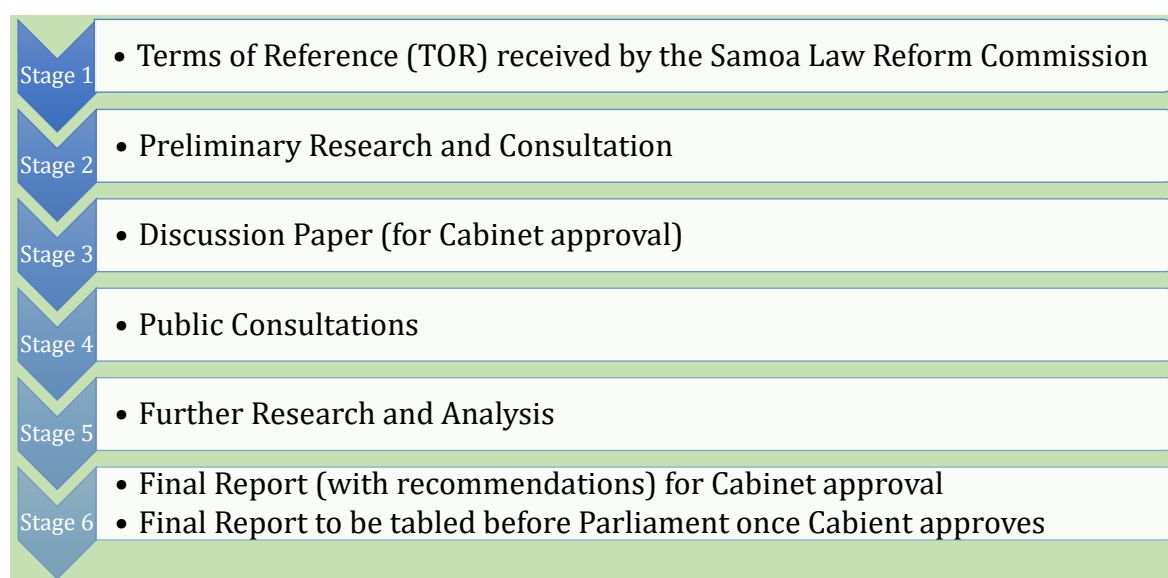


Figure 1: SLRC Law Reform Process

4. CONNECTING THE LAW REFORM WORK TO HIGH-LEVEL PLANS

The government of Samoa through the Ministry of Finance endorsed the National Planning Framework in March 2024, which outlines the planning mechanism to guide the implementation of Samoa’s national plans. This National Planning Framework also summarises the different levels of development planning in Samoa. Figure 2 below shows the national planning structure in the newly endorsed planning framework.

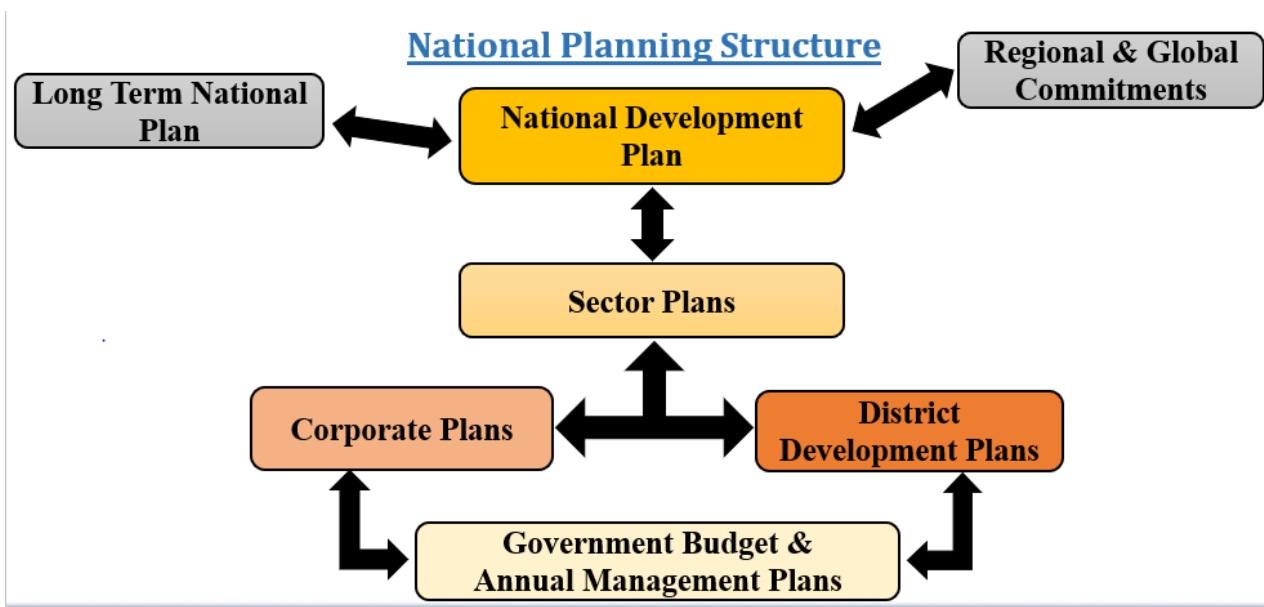


Figure 2: National Planning Framework (Source: MOF National Planning Framework 2024)



The delivery of roles and functions of the Commission is directly linked to the Law and Justice Sector Plan (LJSP) outcomes, the Pathway for the Development of Samoa (PDS) strategic outcomes and priority areas, as well as the Sustainable Development Goals (SDG).

The work of the Law and Justice Sector (LJS) is derived from the two Sustainable Development Goals (SDGs) 5⁶ and 16⁷, together with the PDS Strategic Outcome 3⁸ and the Key Priority Area 12⁹.

The Commission Corporate Plan (CP) 2022-2025 stipulates three Key Outcomes that reflect its Core Functions. The strategies and activities are detailed in the Commission’s Annual Management Plan (AMP).

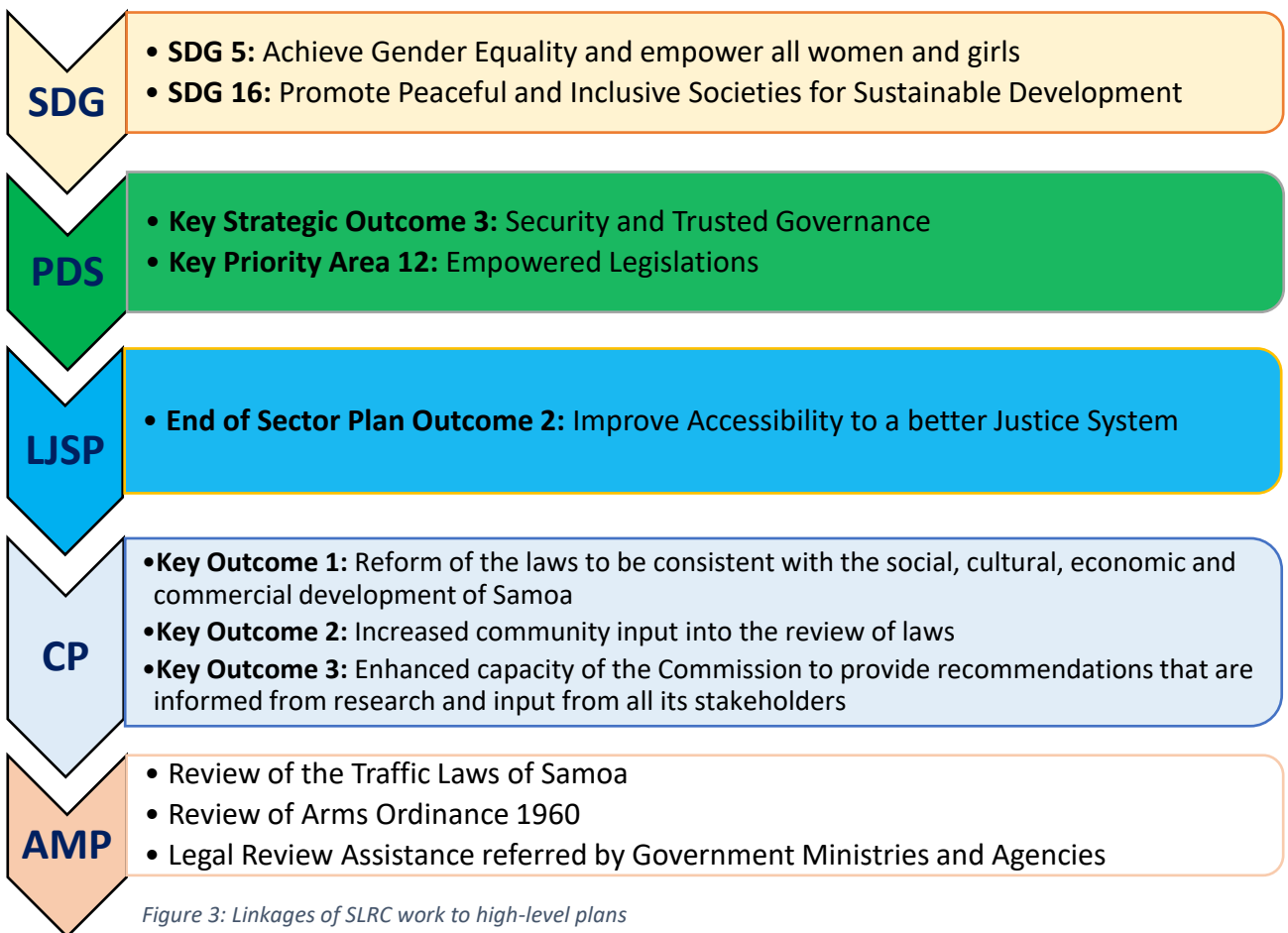
The Commission believes if the implementation of law reviews stipulated in our AMPs and CP are delivered effectively and efficiently, then the CP Key Outcomes will be achieved. If these CP Key Outcomes are achieved, then it will contribute greatly to improving Samoa’s access to a better justice system, which is the main focus at the sector level. In addition, it will also help empower Samoan legislation at the national level and assist in promoting peaceful and inclusive societies for sustainable development. Figure 3 below shows this connection in a nut shell.

⁶ SDG 5: Gender Equality – Achieve gender equality and empower all women and girls

⁷ SDG 16: Peace, Justice and Strong Institutions

⁸ KSO 3: Security and Trusted Governance

⁹ KPA 12: Empowered Legislation



5. REVIEWS BY THE COMMISSION IN FY 2023/24

A total of 11 references were reviewed by the Commission in the FY 2023/24. There were two (2) Terms of References for full review and nine (9) Legal Review Assistance (AD-HOC References) referred from government ministries and SOEs as shown in Table 1 below. These include references received from previous financial years that have continued into this Financial Year. These 9 References are detailed in the following sub-sections.

ONGOING REVIEWS FROM FY2022/23	AD-HOC REFERENCES REFERRED FROM MINISTRIES AND SOES
2	9

Table 1: References received by the Commission

5.1 ONGOING REVIEWS BY THE COMMISSION.

There were two (2) Ongoing Full Reviews conducted by the Commission in this financial year as explained below:

5.1.1 REVIEW OF TRAFFIC LAWS OF SAMOA



Following the update provided in the Annual Report 2022/23, the Commission completed the compilation of the consultation findings in November/December 2023. From these findings, there were additional issues raised and discussed during public consultations which required some *further research and analysis*. The further research and analysis were completed in May 2024.

Part of the Commission's further research and analysis included further discussions with the Ministry of Police and Prisons and Correctional Services (MoPPCS) in November 2023 to clarify issues and concerns related to processes and enforcement as asked by the public. The Commission also sought further discussions with the Land Transport Authority (LTA) and the Judiciary, and requested relevant data on traffic offences from the Ministry of Justice and Courts Administration (MJCA).

Where meetings could not be accommodated due to other competing work priorities, written responses and comments were requested.

The Commission acknowledges the responses provided by LTA in March 2024 and data received from MJCA in April 2024. We are grateful to our key partners and stakeholders for their efforts to assist in this Review.

The final report for this full review is near completion and the Commission envisages the completion and submission of the Final Report to Cabinet for approval before the end of 2024.



5.1.2 REVIEW OF ARMS ORDINANCE 1960



Following the last update provided in the Annual Report 2022/23, the Commission completed the development of its Discussion Paper (DP) in August/September 2023 and was approved by the Cabinet in October of the same year through its Directive FK(23) 42. The endorsement of this DP by Cabinet allowed the Commission to conduct public and stakeholder consultations in both Upolu and Savaii.

The Commission engaged the MoPPCS and the Ministry of Customs and Revenue in a joint consultation as key stakeholders of the Commission before going out to the public in the beginning of November 2023.

The Commission in collaboration with the MoPPCS administered and delivered twelve (12) public consultations for Upolu in November/December 2023, and seven (7) public consultations for Savaii in February 2024. In April 2024, the Commission also consulted two (2) other relevant stakeholders, the Samoa Shooting Federation and the Licensed Dealers under the provisions of the Ordinance. The compilation of the consultation findings / submissions from the public and stakeholders were carried out subsequently. This was done using a four (4) stage process by the Commission which was



completed in May 2024. The issues for possible reforms were identified and further research was then conducted in June 2024 with the assistance of the two University of Queensland Interns.

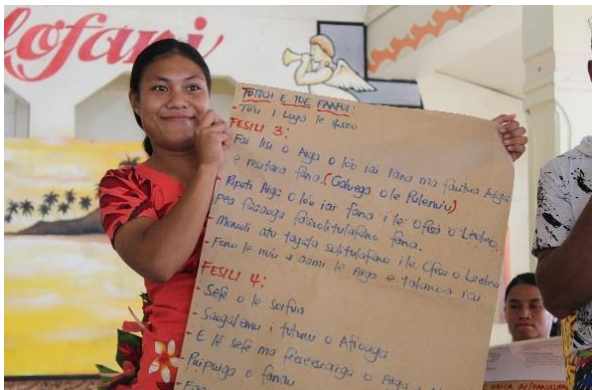


Table 2 below highlights the progress of this full review in the reporting period (July 2023 – June 2024) together with the agenda of consultations conducted by the Commission with the assistance of its key partners:

STAGES OF THE LAW REFORM PROCESS	DATE	DETAILS OF PROGRESS
Stage 3: Discussion Paper	September 2023	The Discussion Paper completed.
	16 October 2023	Discussion Paper sent for Honourable Minister of Samoa Law Reform Commission endorsement
	18 October 2023	Discussion Paper approved by Minister of Samoa Law Reform Commission
	20 October 2023	Discussion Paper submitted for Cabinet’s approval
	25 October 2023	Discussion Paper approved by Cabinet pursuant FK(23) 42
Stage 4: Stakeholder and Public Consultations	UPOLU PUBLIC CONSULTATIONS	
	27 November 2023	Vaimauga 1– 4, Tuutuuleloloto Hall at Mulivai
	28 November 2023	Faleata 1-4, Vaitele-Uta Methodist Church Hall
	29 November 2023	Sagaga 1-4, Faleula EFKS Hall
	30 November 2023	Aana Alofi 1-4, Fasitoo-Tai EFKS Hall
	01 December 2023	Aiga I le Tai, Falelatai & Samatau, Manono-Uta Methodist Hall
	04 December 2023	Lefaga & Faleaseela, Tafagamanu Methodist Hall
	05 December 2023	Safata 1 & 2 and Siumu, Saanapu EFKS Hall
	06 December 2023	Falealili 1 & 2, Saleilua EFKS Hall
	07 December 2023	Lepa & Lotofaga, Aufaga EFKS Hall
	08 December 2023	Aleipata Itupa I Luga and Aleipata Itupa I Lalo, Saleaamua EFKS Hall

	11 December 2023	Vaa-o-Fonoti, Lona Fagaloa EFKS Hall
	12 December 2023	Anoamaa 1 & 2, Leusoalii EFKS Hall
	SAVAII PUBLIC CONSULTATIONS	
	12 February 2024	Faasaleleaga 1, 2 & 3, Apita o Pisaga Hall, Salelologa
	13 February 2024	Faasaleleaga 4 & 5, Saipipi EFKS Hall
	14 February 2024	Gagaemauga 1 & 2, Avaio Methodist Hall
	15 February 2024	Gagaifomauga 1, 2 & 3, Gagaifomauga 3 Fono Faavae Hall, Sasina
	16 February 2024	Vaisigano 1 & 2, Falealupo and Alataua Sisifo, Vaisala Women's Committee Fale
	19 February 2024	Palauli 2 & 3 and Satupaitea, Vailoa Palauli EFKS Hall
	20 February 2024	Salega 1 & 2 and Palauli, Vaipu'a EFKS Hall
	STAKEHOLDER CONSULTATIONS	
	4 April 2024	Consultation with Samoa Shooting Federation <i>(Morning session)</i> Consultation with Licensed Dealers <i>(Afternoon Session)</i>
Stage 5: Further Research and Analysis	April – May 2024	Compilation of consultation submissions from the public and stakeholders as well as identifying issues for possible reforms
	June 2024	Further research and analysis – Structure of Final Report University of Queensland Interns (4 weeks) – Further Research

Table 2: Progress of the Arms Review in this reporting period (July 2023 – June 2024)



5.2 LEGAL REVIEW ASSISTANCE REFERRED FROM GOVERNMENT BODIES

There were nine (9) Legal Review Assistance recorded to have been received by the Commission from government bodies during this financial year 2023/24. The brief details for each Legal Review Assistance are provided below:

5.2.1 RESEARCH ON TWO(2) PRIOR LEGAL REVIEW ASSISTANCE

(i) Draft Criminal Records (Clean Slate) Bill 2020

- In the Commission’s updates for the Honourable Minister, there were discussions to clarify the Commission’s legislative drafting function under its enabling Act (the Law Reform Commission Act 2008). It was clarified that this function is used mainly where its capacity allows and where it is recommended in any of its law review projects. To further illustrate the exercise of this legislative drafting function, we referred to prior law review work of the Commission which resulted in the development of draft Bills (legislative frameworks). The two (2) recent examples discussed were the Draft Criminal Records (Clean Slate) Bill 2020 and the Draft Prohibiting the Sharing of Violent Material Bill 2020. These discussions shed light on the value of this outstanding work and prompted the re-activation and follow-up on the progress of the Draft Clean Slate Bill 2020.
- A brief background of the Draft Clean Slate Bill 2020:
 - This Bill was developed in 2020 by the Commission in response to a query from the former Honourable Prime Minister as to how we can resolve or minimize the challenge faced by potential seasonal workers and those applying for the quota whose eligibility are tainted and barred due to records of previous (minor) convictions from 7 years and beyond, and from when they were very young.

- The Commission re-visited its research and drafting work done on this Bill to refresh the grounds of the Bill developed at the time. The Commission then sought an update from the Office of the Attorney General (Aug 2023) as to the progress and status of this important Bill to advise the Honourable Minister.
- The OAG responded in October 2023 and confirmed that there had been further review and revisions to the 2020 Draft Bill, and as such the OAG will need to re-issue their AG Certificate for the Bill. As of October 2023, the Bill was with the Ministry of Police (anticipated administrator of this Bill) for their consideration of the OAG's further revisions before the AG's Certificate could be re-issued.
- The Commission looks forward to seeing this important Bill being tabled before Parliament for deliberations and passage soon.



(ii) Draft Prohibiting the Sharing of Violent Material Bill 2020 (also known as Prohibiting the Sharing of Abhorrent Violent Material Bill)

- On 22 August 2023, the Commission was copied in a letter from the MoPPCS to the OAG requesting that the Draft Prohibiting the Sharing of Violent Material Bill be revisited seeing it is appropriate to address issues of violent video footages sharing on social media. The Commission were grateful to see initiative to re-commence work on this Draft Bill; a product of months of research, analysis and consultations by the Commission. On 25 August 2023, the Commission acknowledged the proposal to reactivate this work and indicated our willingness to assist where clarification is required as to the background of the Bills.
- In anticipation of communication from the OAG, a team was allocated this matter to refresh on the research of the Commission which informed the Bill, re-visit consultations records to clarify why provisions were drafted as they were and developed a chronology of events and work done by the Commission from first initiation of this research and review work (28 March 2019) until the referral of the Draft Bill by the Commission to the Office of the Attorney General (February 2020).
- A brief background of the Draft Prohibiting the Sharing of Violent Material Bill 2020:
 - In March 2019, following the Christchurch terror attack, the Commission was instructed to conduct research into any consequent law reforms in Australia and New Zealand related to social media (facebook) and consider any necessary reforms for Samoa. The Commission's research and multiple consultations with stakeholders (inclusive of the Government Agencies such as MoPPCS, OAG, OOTR as well as some from the Private Sector such as Vodafone and Digicel), informed the substance of the Draft Bill developed by the Commission. The Commission referred this Draft Bill to the OAG for their usual review and final vetting as per usual legislative drafting process.
 - The Commission looks forward to seeing this important Bill being tabled before Parliament for deliberations and passage soon.

5.2.2 FURTHER RESEARCH INTO THE REVIEW OF THE CRIMES ORDINANCE 1961

- A query was raised by a District Court Judge on 24 August 2023, specifically on the history and origin of Section 219 (*Harassment utilizing means of electronic communication*) of the Crimes Act 2013. The query required some research into an earlier Review of the Crimes Ordinance 1961 (Ordinance) in 2010.

- The Review showed that the Ordinance (now repealed) did not specifically provide for computer related offences. This Review's Final Report briefly discusses



'computer crimes' and the international community's pursuit of the development and implementation of legislation to protect against cybercrime. The Report referred to the Council of Europe Convention on Cybercrime as the common benchmark for such legislation. The list of computer crimes in the Convention on Cybercrime were mainly regarding the misuse or unauthorised use or tampering /alteration of computer system and computer data. There is no specific Article in the Convention to address the use of electronic communication as a means of harassment. The Commission recommended (and supported by stakeholders) in this Review that a new Part be inserted into the law to address this gap. The Final Report also records advise from a member of the Judiciary that there is a need for an offence to deal with cell phone crimes, such as the sending of harassing texts.

- In clarifying the source and origin of section 219, the Commission respectfully highlighted that at the time of this Review, the Commission was still under the Office of the Attorney General (OAG) before it officially separated in 2011. Following the approval of the Final Report for this Review, it was to be referred to the OAG to draft the new Bill. The Honourable DCJ was therefore respectfully referred to OAG for clarifications as to the source and origin of the provision as inserted into the current Crimes Act 2013.
- The Commission responded on 25 August 2023.

5.2.3 RESEARCH ON LAW AND RELIGION IN THE CONSTITUTION

- Date received: 22 September 2024
- The Commission carried out legal research on the theme 'Protecting the Right to Freedom of Thought, Conscience, and Religion' in Samoa, to assist the Honourable Minister's preparation for an international meeting. This was also taken as legal capacity training for the team.
- The Commission's legal research and analysis looked at the Universal Declaration of Human Rights (UDHR), Constitution of the Independent State of Samoa (Constitution) and case law. We referred to the freedom of thought, conscience and religion in the UDHR making specific reference made to Article 18 where this right began. The relevant provisions of the Constitution

referred were Articles 11¹⁰ & 12¹¹. The Commission also offered case law examples to illustrate the application and recognition of the freedom of religion in Samoa.

- It was emphasized that Samoa, by expressly declaring in its Constitution that Samoa is a Christian nation founded on God the Father, the Son and the Holy Spirit, it establishes the overall guiding Authority and Spirit that all other laws of Samoa would follow. Having established that, the Constitution of Samoa assures and offers the protection for the exercise of the right to freedom of thought, conscience, and religion to **every person in Samoa**.
- The Commission's legal research was submitted on 26 September 2023.



5.2.4 ALIENATION OF FREEHOLD LAND ACT 1972 MATTERS FROM MNRE

- In October 2023, the Ministry of Natural Resources and Environment (MNRE) through their legal division sought the Commission's assistance in relation to a prior requested legislative review of the Alienation of Freehold Land Act 1972. This Review was completed in 2020, and a Draft Bill and Draft Regulations were developed and referred to the Office of the AG and the MNRE for final vetting and take forth.
- The Commission re-visited our records on this review and provided the MNRE with the timeline and relevant recent correspondences amongst the Commission, OAG and MNRE to clarify the resulting Draft Bill and Regulations and their progress to date.
- On 29 February 2024, the MNRE indicated that they intend to resume their review of the resulting Draft Bill and Regulations. The Commission was grateful to see this important review re-visited. The Commission referred the latest version of the Draft Bill and Regulations (in the Commission's records) to MNRE on 7 March 2024 for their purposes.
- The Commission looks forward to see the finalisation and passage of the above laws in the near future.

¹⁰ Article 11 (Freedom of Religion), Constitution of the Independent State of Samoa

¹¹ Article 12 (Rights concerning religious instruction), Constitution of the Independent State of Samoa

5.2.5 RESEARCH INTO HANSARD FOR THE LRC BILL 2002

- In November 2023, in response to PSC's Review Phase 2 Recommendations on the Commission's organizational structure, the Commission conducted further legal research into the Hansard for the Law Reform Commission Bill 2002, focusing mainly on the origin and intention of the provision on the



- 'Commissioners' within the Commission.
- The Hansard highlighted discussions on just a few matters such as whether a law degree is required in order to be eligible to be a Commissioner and whether the appointment of a judge to be a Commissioner brings a risk of conflict of interest between the Court and law reform recommendations to be made. There was recommendation at the time that it would be important to have sufficient time to research and analyse the Commissioner positions.
- The findings of the research and the Commission's experiences to date assisted the Commission in its advice to the Honourable Minister of the Samoa Law Reform Commission in a meeting on 7 November 2023 to discuss and clarify the Commission's position regarding the PSC's recommendation to create Commissioner positions within the Commission.
- The Commission awaits further discussions of the proposed commissioner positions with the PSC, during the remaining stages of PSC's ongoing Public Service Review

5.2.6 PRELIMINARY RESEARCH AND ANALYSIS ON THE 3 MWCSO LEGISLATION

- On 22 September 2023, the Ministry of Women, Community and Social Development (MWCSO) requested the Commission's assistance to review and reform MWCSO's current legislation.
- In preparation for preliminary consultations with MWCSO, the Commission carried out some preliminary research on the legislated roles of the MWCSO within its three (3) laws:
 - (i) *Village Fono Act 1990*;
 - (ii) *Ministry of Women Affairs Act 1990*; and
 - (iii) *Internal Affairs Act 1995*.
- Our findings assisted us in our overall understanding of the roles and functions of the MWCSO, which then guided the formulation of a possible Terms of Reference for the proposed Review.

- Unfortunately, due to some new developments, it became apparent that there may be some inevitable overlap and duplication in the proposed legislative review of MWCSA's legislation by the Commission and other work proposed to be carried out about the same time.
- As such, as of August 2024, the Commission respectfully recommended that the proposed Review of MWCSA laws ceases, until the completion of other ongoing reviews (if this legislative review is still needed).



5.2.7 PRELIMINARY RESEARCH AND ANALYSIS ON THE CONVENTION AGAINST CORRUPTION

- The Commission received a request from the Public Service Commission (PSC) on 22 March 2024 to review Samoa's Draft Country Review Report in preparation for Samoa's reporting back on the United Nations Convention Against Corruption (Convention). The request required the Commission to review the Draft Review Report and respond to the Articles of the Convention, relevant to the Commission's functions and mandate, and the current projects of the Commission.

- Following the Commission's review of the Draft Report together with the relevant Articles of the Convention, we provided responses to the questions in the Draft Country Report to assist PSC in their overall compilation of comments for Samoa's Second UN Convention Against Corruption (UNCAC) Review Report. This was



also an important opportunity for the Commission to make clear its law reform process and further clarify some responses in relation to ongoing law reform Projects of the Commission as noted in the Draft Country Report. The Commission's responses were provided on 25 March 2022.

5.2.8 LEGAL REVIEW ASSISTANCE FOR BEIJING PLATFORM FOR ACTION

- The Commission received a request from the MWCSA on 27 March 2024 to provide data information to respond to specified portion of the Questionnaire Samoa is required to respond to for the *Beijing Platform for Action +30 Review*.

- The Commission noted that due to the nature of its work, direct responses to the provided questions could not be provided. However, in the spirit of rendering assistance to the Ministry, the Commission provided a general overview of two (2) law reform projects that may have some relevance to the Beijing Platform for Action. The overview provided was in relation to the Review of the Family Laws of Samoa and the Review of the Arms Ordinance 1960 which in the Commission’s respectful view, contributes in some way to Samoa’s national efforts to combat some of the key issues identified. These key issues include the elimination of violence against women and girls as well as combatting arms related offences.
- For the Commission in particular, we noted that our contribution is through our public awareness and consultations where the people are made aware of current laws and provides an avenue for the public to be involved in and take part in the law-making process of Samoa.
- The Commission’s responses were provided on 12 April 2024.



5.2.9 PRELIMINARY RESEARCH FOR THE DRAFT CRIME PREVENTION POLICY

- The Commission (as a member of the Law and Justice Sector (Sector)) received a copy of the Draft National Crime Prevention Policy (Policy) on 6 December 2023 for comments.
- The Commission’s comments were based on research and analysis of relevant laws including the Village Fono Act 1990 and the Regulations Ordinance 1953. It was important for the Commission to refer to relevant laws to ensure legal authority and soundness of the Sector’s Draft Policy to be submitted to relevant authorities for endorsement.
- In the Sector’s meeting on 18 December 2023, the Commission presented its comments for consideration. These comments were again submitted to the Consultant for consideration and incorporation into the Draft Policy.
- In May 2024, the Draft Policy was tabled and discussed in the meeting of the National Policy Coordination Committee (NPCC). The Commission used this opportunity to raise a few more comments on the Draft Policy and provided further revised written comments to the Committee for consideration before the Policy is finalised and endorsed.

6. REPORT ON PERFORMANCE

6.1 ANNUAL PERFORMANCE STATEMENT FY 2023/24

As the accountable authority of the Commission, we present the annual performance statement as part of the annual report, which has been prepared for Part XIV of the Public Finance Management Act 2001 for the 2023/24 financial year and accurately presents the Commission's performance in compliance with the said Act.

6.2 MINISTRY LEVEL OUTCOMES

The Commission desired outcome:

“Amended and new Legislation consistent with the social, cultural, economic and commercial development of Samoa”

In paving a way to reach the desired outcome, the Commission formulated four key outcomes as follows:

- i. Reform of the laws to be consistent with the social, cultural, economic and commercial development of Samoa;
- ii. Increased community input into the review of laws;
- iii. Enhanced capacity of the Commission to provide recommendations for law reform that are informed from comprehensive legal research and analysis, as well as input from all its stakeholders; and
- iv. Financial and human resource coordination responsibilities managed efficiently and improved responses to national disasters and emergencies.

These four Key Outcomes are accompanied by relevant strategies and activities which are detailed in the Commission's Corporate Plan as well as the Annual Management Plan.

The Commission has nine (9) Key Performance Indicators (KPIs) developed to implement in this financial year 2023/24. These KPIs will contribute to the achievement of the Commission's desired outcome of initiating or responding to initiatives for the review and reform of Samoa's laws as necessary and required by inevitable and necessary developments in and from outside of Samoa. These initiatives (which if approved, subsequently become terms of reference) set the direction and focus into areas of law in need of review and reform. In response to these initiatives, the Commission begins with some in-depth preliminary research and analysis, before some stakeholder and community consultations that underpin recommendations for law reform.



The Commission continues to endeavor to pioneer excellence in law reform that is relevant and responsive to the needs of Samoa. The Commission's Vision is also woven around the newly established Slogan of *“Responding to Change through reformed laws”*.

In addition, the Commission will continue to work closely with the Attorney General’s Office and the Law and Justice Sectorial stakeholders to ensure appropriate lead time for planning and sharing resources when new references are referred to the Commission.



6.3 APPROVED KEY PERFORMANCE INDICATORS (KPI) FOR FY 2023/24

Table 3 below shows the results depicting the Commission’s achievements in this reviewed financial year.

The Commission performance against Key Performance Indicators (KPIs) for FY 2023 /24:

Key Performance Indicators (KPIs)	Target	Achievement Status	2023-2024 Progress Against KPIs and Targets	Next Step/Way Forward
<p>1. REVIEW OF THE TRAFFIC LAWS OF SAMOA</p> <ul style="list-style-type: none"> • Date by which the compilation of consultation findings & further research completed • Date by which the Final Report of the Full review of Traffic Laws of Samoa is completed and submitted to Cabinet for approval. • Date by which the Final Report of the Full Review of Traffic Laws of Samoa is published and disseminated 	<ul style="list-style-type: none"> ➤ By December 2023, the compilation of consultation findings/analysis & further research will be completed ➤ By June 2024, the compilation of the Final Report will be completed and submitted to Cabinet for approval ➤ By June 2024, the Final Report will be published and disseminated 	<p>Target Not Achieved</p>	<ul style="list-style-type: none"> • The compilation of consultation findings for the review of Traffic Laws was completed in November/December 2023. The first round of further research was also completed in December 2023. • Further consultation with the Ministry of Police, Prisons, and Correctional Services (MOPPCS) was held in November 2023. • Further consultation with the Land Transport Authority (LTA) and Judiciary could not go ahead as planned due to their tight schedule and competing priorities. The Land Transport Authority was later asked to provide written comments and responses. These were provided in March 2024. • The Ministry of Justice and Courts Administration (MJCA) provided the requested traffic offences data in April 2024. • The second round of further research and analysis on additional issues or matters raised and discussed during the public and stakeholder consultations were completed in May 2024. • The final report is near completion and the Commission envisages the completion and submission of the Final Report to Cabinet for approval before the end of 2024. 	<p>The Commission is currently working on finalizing the Traffic Review Final Report, envisaging the completion and submission to Cabinet for approval before the end of 2024.</p> <p>The last two targets for this KPI did not achieve due to the following two reasons:</p> <ol style="list-style-type: none"> 1) The issues/concerns identified from the consultations were more complex and needed a longer period to conduct further research than what the Commission anticipated. Therefore, more time was required to carry out further research and analysis, considering the number of existing lawyers carrying the load. 2) Getting the information from relevant partners and key stakeholders are beyond the Commission's control. These Key partners also have their deliverables to accomplish.

<p>2. REVIEW OF THE ARMS ORDINANCE 1960</p> <ul style="list-style-type: none"> • Date by which the Discussion Paper is published • Date by which the public and stakeholder consultations completed • Date by which the compilation of consultation findings/analysis & further research completed 	<ul style="list-style-type: none"> ➤ By August 2023, the Discussion Paper will be published ➤ By December 2023, the Public and Stakeholder Consultations will be completed ➤ By June 2024, Compilation of consultation findings/analysis & further research will be completed 	<p>Completed / Target Achieved</p>	<ul style="list-style-type: none"> • The Discussion Paper (DP) for the Review of the Arms Ordinance 1960 was completed in August/September 2023 which was submitted and approved by Cabinet in October 2023, and then published in the same month. • A joint consultation was conducted in November 2023 with key partners (MOPPCS and MCR). • The Commission in collaboration with its Key Partners conducted twelve (12) Public Consultations for Upolu in November/December 2023. • In February 2024, seven (7) Public Consultations for Savaii were administered by the Commission with the assistance of its Key Partners. • There were two (2) Stakeholder Consultations (Shooting Federation & Licensed Dealers) conducted in April 2024. • The compilation of consultation findings/submissions from the public and stakeholders was done through a 4 Stage Process which was completed in May 2024. • The issues for possible reforms were identified and further research was conducted in June 2024 with the assistance of the two University of Queensland Interns. 	<p>The Commission is working tirelessly to ensure that the Final Report for this Full Review together with the other Full Review (Traffic) are completed and submitted to Cabinet for approval before the end of 2024. This is taking into consideration that there are only five (5) Lawyers in the Commission including the Executive Director and the Assistant Executive Director.</p>
<p>3. LEGAL REVIEW ASSISTANCE (LRA) REQUESTED</p> <ul style="list-style-type: none"> • Percentage of Legal Review Assistance completed with analysis / recommendations / advice submitted in a timely manner (3 anticipated LRA) 	<ul style="list-style-type: none"> ➤ By June 2024, ALL 3 (100%) projected Legal Review Assistance referred from government ministries and corporations will be completed 	<p>Completed / Target Achieved</p>	<p>There were three (3) Legal Review Assistance (LRA) projected for this financial year, but the Commission managed to conduct and completed NINE (9) LRA research and analysis by the end of this Financial Year 2023/24:</p> <ul style="list-style-type: none"> (i) Research into two (2) prior Legal Review Assistance received and completed by the Commission: <ul style="list-style-type: none"> (a) Draft Criminal Records (Clean Slate) Bill 2019; and (b) Draft Prohibiting the Sharing of Violent Material Bill 2019 to update & advice Minister for way forward and correspondences with the Commission relevant partners. (ii) Research into the Commission's earlier Review of the Crimes Ordinance 1961 – history / origin of section 219 	<p>There are no further actions required for all the nine legal review assistance completed in this financial year, unless a relevant ministry / agency will be requested for further actions to be considered by the Commission.</p>

			<p>of the Crimes Act 2013 in response to a District Court Judge's query.</p> <ul style="list-style-type: none"> (iii) Research on 'Law & Religion' in the Constitution and laws of Samoa (for Hon. Minister's International Meeting). (iv) Response to queries from MNRE (Legal) on prior reference and research work done by the Commission (some land matters). (v) Research into Hansard for the LRC Bill 2002 (establishment of the Commission) – origin and intention of the provision on the Commissioners (to advice Honourable Minister, in light of PSC recommendations in their Review of the Commission Office structure). (vi) Preliminary research and analysis of the 3 MWCSL legislation (for preliminary consultations prior formulation of TOR for the full review). (vii) Research carried out and compiled in response to the Article of the United Nations Convention Against Corruption (UNCAC) relevant to the Commission's functions and mandate and the current projects of the Commission, for Samoa's Draft Report to the UN Committee. (viii) General overview into the Commission's 2 law reform projects that in some way contributes to Samoa's national efforts to combat some of the key issues identified (violence against women and girls and combatting arms related offences), to assist with data collection for Beijing Platform for Action + 30 Review. (ix) Preliminary research and analysis conducted to provide constructive comments for the Draft Crimes Prevention Policy by the Law and Justice Sector. 	
<p>4. AWARENESS OF THE WORK OF THE COMMISSION</p> <ul style="list-style-type: none"> • Date by which the biannual newsletters are to be finalised and 	<p>➤ By July 2023, the Newsletter for the last six months of FY2022/23 will be completed and distributed</p>	<p>Completed / Target Achieved</p>	<ul style="list-style-type: none"> • The Newsletter for the last six months (January – June 2023) of the previous FY 2022/23 was completed and published in July 2023. 	<p>The Commission will continue looking at possible donors to use different avenues to raise awareness of the Commission work as well as the laws of Samoa.</p>

<p>published to raise awareness of the Commission work</p>	<p>➤ By January 2024, the Newsletter for the first six months of FY 2023/24 will to be completed and distributed</p>		<ul style="list-style-type: none"> The Newsletter for the first Six months (July – December 2023) of the FY 2023/24 was completed and published in February 2024. 	
<p>5. PROFESSIONAL DEVELOPMENT FOR THE COMMISSION</p> <ul style="list-style-type: none"> Percentage of staff engaged in professional development activities 	<p>➤ By June 2024, 20% of the whole Commission staff (12) will be engaged in professional development activities</p>	<p>Completed / Target Achieved</p>	<ul style="list-style-type: none"> As of June 2024, there were six (6) staff members engaged in professional development trainings and workshops, which is equivalent to 50% of the current staff. 	<p>The Commission is working in collaboration with the TAUTAI Funding through the Public Service Commission to engage a Team of Advisors to conduct a Comprehensive training on the law reform areas for the Legal Team.</p> <p>An invitation will be opened to the Government In-House Counsels for participation when we receive a green light from TAUTAI and PSC.</p>
<p>6. INCREASED COMMUNITY AND STAKEHOLDERS INPUT INTO THE REVIEWS OF LAWS</p> <ul style="list-style-type: none"> Percentage (%) of intended villages / communities participants present during the consultations Percentage (%) of intended stakeholders present during consultations 	<p>This is a New Measure for the Commission.</p> <p>➤ Villages/Communities intended participants – 70%</p> <p>➤ Stakeholders intended participants – 80%</p>	<p>Completed / Target Achieved</p>	<p>Both Targets were achieved in this financial year</p> <ul style="list-style-type: none"> Based on the target number of participants (2056) planned to attend the public consultations for the Review of Arms Ordinance 1960, 89% of the intended participants were able to attend the 19 public consultations around Upolu and Savaii. Of the 310 villages in Samoa, 66% participated in the 19 public consultations through their representatives. 100% of intended stakeholders participated in the consultation sessions. 	<p>The Commission is still working on utilizing different avenues to ensure that the community participation in the future law reforms consultative process will continue to improve</p>

<p>7. Number of Ministry Quarterly Reports (MQR) submitted to PSC on time</p>	<p>By June 2024, Four (4) MQRs will be completed and submitted to PSC:</p> <ul style="list-style-type: none"> ➤ MQR4 for FY 2022/23 submitted to PSC by July 2023 ➤ MQR1 for FY 2023/24 submitted to PSC by October 2023 ➤ MQR2 for FY 2023/24 submitted to PSC by January 2024 ➤ MQR3 for FY 2023/24 submitted to PSC by April 2024 	<p>Completed / Target Achieved</p>	<p>All four (4) Ministry Quarterly Reports were completed and submitted to PSC on time in this financial year:</p> <ul style="list-style-type: none"> • MQR4 (April – June 2023) for the Financial Year 2022/23 was completed and submitted to PSC through email on 12 July 2023. • MQR1 (July – September 2023) for the Financial Year 2023/24 was completed and submitted to PSC through email on 27 October 2023. • MQR2 (October – December 2023) for the Financial Year 2023/24 was completed and submitted to PSC through email on 26 February 2024. • MQR3 (January – March 2024) for the Financial Year 2023/24 was completed and submitted to PSC through email on 30 April 2024. 	<p>The performance of the Commission in this KPI is measured on the completion and submission of these Ministry Quarterly Reports (MQR) on or before the due date set up by the PSC on a quarterly basis.</p>
<p>8. Date by which the Commission Annual Report 2022– 2023 completed and submitted to Cabinet for approval and then to Parliament afterwards.</p>	<p>By October 2023, the Commission Annual Report will be completed and submitted to Cabinet for approval, and then to Parliament once the cabinet decision is received.</p>	<p>Completed / Target Achieved</p>	<ul style="list-style-type: none"> • The Commission Annual Report July 2022 – June 2023 was completed and submitted to Cabinet through the Honourable Minister of Samoa Law Reform Commission on 31 October 2023. • The Cabinet Decision (FK(23)45) was received by the Commission on 24 November 2023. • The Commission Annual Report July 2022 – June 2023 was submitted to the Office of the Clerk of the Legislative Assembly (OCLA) on 21 December 2023, for tabling at Parliament. 	<p>The Commission will continue on working towards meeting the national deadlines for these mandated reports.</p>
<p>9. Performance Plans for FY2023/24 and Performance Appraisals for FY 2022/23 for all staff completed on time</p>	<ul style="list-style-type: none"> ➤ By July 2023, Performance Appraisals (FY2022/23) and Performance Plans (FY2023/24) for Contract Officers will be completed and submitted to PSC 	<p>Completed / Target Achieved</p>	<ul style="list-style-type: none"> • The Performance Appraisals (FY2022/23) for the TWO Contract Officers were completed and submitted to PSC in July 2023. • The Performance Plan (FY2023/24) for ONE Contract Officer was completed and submitted to PSC in July 2023. • The other Contract Officer was on Contract variation and the new Contract was effective on the 27th November 2023, therefore her Performance Plan (FY2023/24) was completed and submitted to PSC in December 2023. 	<p>This KPI is one of the mandated tasks for any government agency, therefore the Commission is working diligently to ensure these important plans and appraisals are compiled and conducted according to schedule.</p>

	<p>➤ By July/August 2023, Performance Appraisals (FY2022/23) and Performance Plans (FY2023/24) for ALL permanent staff will be completed and filed in their personal files</p>		<ul style="list-style-type: none"> • The 12 months Performance Appraisals (FY2022/23) for all permanent staff were completed and filed in their personal files in August 2023. • The 6 months performance review of FY2023/2024 for ALL permanent staff members (Except for one ELO on overseas study leave and one Principal Officer who was on Maternity Leave) were completed and filed in their personal files in January 2024. 	
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Table 3: Progress of SLRC KPIs for FY 2023-24

6.4 OTHER ACHIEVEMENTS AND COMMITMENTS IN FY 2023/24

6.4.1 PASEFIKA LAWYERS COLLECTIVE CONFERENCE



All five (5) Lawyers in the Samoa Law Reform Commission including the Acting Executive Director at the time attended a three days Pasefika Lawyers Collective (PLC) continuing professional development Conference hosted by Samoa from the 26th – 28th July 2023. The Theme of the Conference was, “Diversity: Valuing Pasefika Cultural Lens in Law and the Legal Profession”. The main objective of the conference was to create collaborative spaces for legal professionals that claim Pacific heritage or a connection to complete this professional development training, that specifically accounts for how they experience, view or implement the Pacific Island heritage and cultures in legal practice or as legal professionals.

The Conference was also an opportunity to bring together these legal professionals in the Pacific to share their knowledge and experience, as well as looking at how the best practices in other countries in dealing with legal matters be shared amongst the Pacific. In addition, the conference was also an opportunity for Pacific Lawyers to explore methods and tactics taken by different Pacific nations to address the areas they fell short with.



The Guest speakers for the Conference included the Judicial Officers, Jurists, Legal Academics, Senior Judges, and Lawyers. The Guest Speakers presented on their experiences in different issues in the Pacific, including family violence, lands and titles, climate change, and so

forth. The Commission has a young legal team, therefore attending this conference was an extraordinary opportunity for all of them to be exposed to the regional legal issues as well as learning from the wealth of knowledge and experiences from the Senior Lawyers and Judges in the Pacific.

6.4.2 SLRC PERFORMANCE REVIEW & PLANNING SEMINAR 2023

The Commission conducted its first ever “Performance Review and Planning Seminar” on Friday 4 August 2023 at the Samoa Shipping Services Conference Room at Savalalo. The initiative has been directed at reviewing the overall performance of the Commission’s Key Performance Indicators (KPIs) for the last financial year 2022/23, identifying issues in the performance of these KPIs, and the lessons learnt to shape a way forward.



The Theme of the Seminar was: “Limalima Faatasi mo se Taea Manuia”.

The Seminar was opened with a word of prayer by one of the staff members, and the Keynote Address to officially open the Seminar was delivered by the Hon. Minister of Samoa Law Reform Commission, Afioga Matamua Seumanu Vasati Sili Pulufana. Honourable Minister

during her Keynote Address shadowed the Seminar theme by pointing out the importance of working together as a Team, to achieve better results. She further stressed out the importance of this event in order to step out from the normal daily work and reflect on what has been done and the lessons learnt, in order to move forward to achieve the Commission Key Deliverables, and contributing to the achievement of the Government national priorities. She elaborated her message through a Samoan saying:



“O ananafi, na a’oa’o mai ai le asō, ao le asō, e talanoa ma faatonu folau ai taea”

The Hon. Minister concluded her address by thanking the Commission for the hard work and encouraging everyone to continue on doing the good work with the right spirit and doing what is right.

The invitation was extended to the Public Service Commission (PSC)

and the Ministry of Finance (MoF), and thankfully the members of the PSC were able to attend and deliver an encouraging presentation for the whole Commission staff, and also presented a challenge for the Commission to target for improvement going forward.

This Seminar will be an annual event for the Commission.

6.4.3 PUBLIC SERVICE DAY CELEBRATION 2023

The Commission participated in the Public Service (PS) march on 2 October 2023 to commemorate the service of all public servants in the country. Following the march and the official *lotu* ceremony in front of the FMFII Building was the booth display at our Level 1 Floor (FMFII Building) where our reports and awareness brochures were made



available for the public’s information. The Theme for the 2023 PS Day celebration was “*Talofa with a Smile*”.



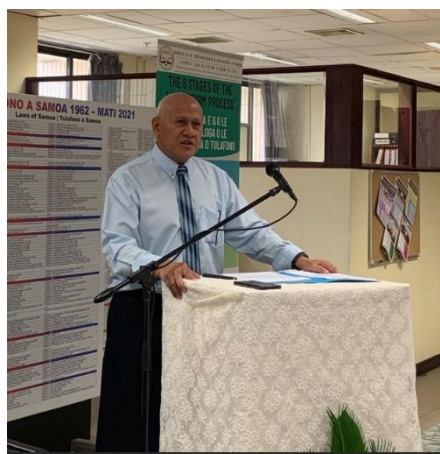
To further celebrate the PS Day, the Commission held an ‘In-House Storytelling Session’, where each staff member shared her/his work history and experience as a public servant, which was an opportunity for knowledge sharing amongst the staff.

The Commission concluded its PS Day celebration with a shared lunch and then the Trivia Game, where the staff was divided into two teams and competed with the bunch of questions from a wide range of



areas. The whole staff enjoyed this final activity of the day, because not only it was really fun, but also a rejuvenating exercise.

6.4.4 WELCOMING OF NEW EXECUTIVE DIRECTOR



On 25 March 2024, the Commission welcomed its new Executive Director, Afioga Tufuga Fagaloa Tufuga Fatu after 18 months since the former Executive Director Telei'ai Dr. Lalotoa Mulitalo resigned from the position in September 2022.

The Office of the Commission organized the welcoming ceremony, and the keynote address was delivered by the Honourable Matamua Seumanu Vasati Sili Pulufana, Minister of the Samoa Law Reform Commission.

Afioga Tufuga attended Samoa College and Wesley College, Paerata Auckland NZ, holds a Bachelor of Arts (1987), Master of Arts (Hons) (1989), complemented by a Bachelor of Laws (LLB) (1994) all from the University of Auckland. He also has a Master of Laws (Distinction) in International Maritime Law (1997) at IMO, International Maritime Law Institute, Malta.



Prior to taking up the new Executive Director role for the Commission, Afioga Tufuga worked at the Office of the Attorney General for 6 years, Regional Maritime Legal Advisor at Secretariat of the Pacific Community (SPC) in Suva, Fiji for 7 years, the General Manager/CEO for Samoa Ports Authority (SPA) for 3 years before establishing his private boutique Law Firm in Apia since 2016.

6.4.5 TALOFA WITH A SMILE CAMPAIGN

On 10 May 2024, PSC conducted a one-day exercise for the Commission complementing the Talofa with a Smile Campaign initiative by their office.

The Commission participated in several activities led by PSC such as answering the telephone by using the *'Talofa'* greeting, as well as serving customers at the front counter.



Not only it was a useful exercise in terms of emphasizing the use of *"Talofa"* in greeting customers but also a fun activity for the Commission.

6.4.6 WELCOMING OF TWO (2) LEGAL INTERNS FROM THE UQ, AUSTRALIA

The Commission, through its Internship Program occasionally hosts interns from various universities around the Pacific Region and abroad. This program provides lawyers-in-training experience in Samoa's own law reform approach in legal research and analysis to formulate context-appropriate recommendations for law reform. For the Commission, it is an opportunity to network and build relationships with other Institutions who can contribute to improving our own law reform.



The Commission's intake of interns was put on hold in 2020 due to the COVID-19 pandemic.

In June 2024, the Commission was happy to recommence its Internship Partnership Program with the University of Queensland (UQ) in Australia, welcoming Lilian Quinn and Holly Otto of the TC Beirne School of Law, UQ for a 4 week program.

The Interns, for the duration of their internship assisted the Commission's Review of the Arms Ordinance 1960, in further research and analysis on issues collected from completed public consultations and especially a comparative assessment of other countries in the Region.

7. OPPORTUNITIES

1. The Commission's core function is to carry out research and analysis into laws and recommend reforms. Access to legal search engines and other useful databases is therefore crucial to inform effective and relevant law reform recommendations.

In addressing the ongoing challenge of limited access to legal search engines (such as LexisNexis and Westlaw), the Commission was fortunate to consult with the Head of Vlex Global Markets through recommendation from the AG. Vlex is an online Legal Research platform that provides the large collection of legal information and resources. Access to such online research database can offer



the Commission a variety of legal material which can broaden the scope and improve the Commission's legal research and analysis. By the end of June 2024, we were blessed to secure the Ministry of Finance's support for our request to pay the subscription for Vlex from our local budget, which will be started in the new financial year 2024/25. This was a huge achievement for us, and we thank the Ministry of Finance and the Government of Samoa, for granting this opportunity to develop and build the office legal research.

2. A recurring challenge noted by the Commission from past financial years is the high number of turnover staff, particularly in the Legal Division, and the lack of a pool of lawyers available to fill these vacant positions in the Legal Division. The Commission saw this long-standing challenge as an opportunity to consider and propose a re-structuring of its Legal Division as it sees fit for the Commission now. As mentioned earlier in this report, the PSC have approved part of our re-structural request, together with additional recommendations after their Phase 2 Review. Part of the PSC recommendations including the three Commissioners are still in discussion between the two parties (SLRC & PSC) and will continue during the Phase 3 Review. We will continue to embrace these opportunities in moving forward for the betterment of Samoa and our law reform services for the country.
3. The Commission 6 step Law Reform process is completed upon the Final Report being tabled before Parliament. One of the challenges faced by the Commission is that the Commission is not mandated to take forward a Final Report (with its recommendations) with the relevant instructing ministries / agencies after Parliament passes the same. Although the Commission has the mandate to review, research and analyse laws and other findings to inform law reform recommendations, the implementation of these recommendations and reforms lies with the relevant instructing ministries or agencies, along with their own work priorities and plans. In efforts to improve this, the Commission continues to re-assess its current collaborations with relevant partners, in order to work together better, to ensure that the Commission's law reform recommendations are not only well informed by independent research and consultations, but also consider what is practical for implementing partners once the final report is approved by Cabinet and passed by Parliament.

8. HUMAN RESOURCE MANAGEMENT

The Commission employs a Team of Lawyers and a supportive Corporate Staff. This enables the delivery of planned strategies and activities as outlined and stipulated in the Law and Justice Sector Plan 2020 – 2025 as well as the Commission Corporate Plan 2022 – 2025, together with the Commission Annual Management Plans.

The Recruitment and Selection (R&S) process for permanent staff is led by the Corporate Services Division whereas the R&S for contract staff is administered by the Public Service Commission. This is governed by the Principles set out in the Public Service Act 2004 and the Recruitment and Selection Handbook of the Samoa Public Service 2005. The following 3 principles are enforced by the Commission in the selection of corporate permanent staff members:

- Merit-based selection;
- Advertisement of all vacant positions is open to anyone; and
- Gender balanced panel for interviews including an independent member from outside of the Commission.

8.1 STAFF MOVEMENT

8.1.1 RESIGNATIONS

There were no resignations from the Commission staff in the financial year 2023-24. This was the first financial year in the last five (5) years that ended with no resignation received from any staff member of the Commission.

8.1.2 NEW APPOINTMENTS

(i) **Tufuga Fagaloa Tufuga Fatu, Executive Director**



The Executive Director (ED) position was vacant for 18 months since the former ED (Telei'ai Dr. Lalotoa Mulitalo) resigned in September 2022.

On 25 March 2024, the Commission was blessed to welcome the new ED on board, Afioga Tufuga Fagaloa Tufuga Fatu. Afioga Tufuga ran a Private Boutique Law Firm in Apia before taking up the ED role. His wealth of experience as a Public Servant and international exposure as an international civil servant whilst working at SPC will contribute enormously in achieving the Commission's planned goals and objectives as well as the set targets. The Commission is pleased to welcome Mr. Tufuga Fagaloa Tufuga Fatu and looks forward to working with him.



(ii) **Aunoa Uele, Senior Legal Analyst**

The Commission was fortunate to gain an additional member to its team when Ms. Uele joined the Legal Division as a Senior Legal Analyst on 24 July 2023.

Prior joining the Commission, Ms. Uele worked for the Office of the Attorney General under the Criminal Prosecution Division. Her extensive knowledge and experience in court and legal matters in general had added value to the Commission work in law reform areas.

The Commission is pleased to welcome Ms. Uele to the team and look forward to working with her.

8.1.3 SLRC EXISTING WORKFORCE COMPOSITION

STAFF	TOTAL NO.	FEMALES	MALES	SALARY GRADING
Contract Staffs	3	1	2	ACEO – CEO
Executive Legal Officers	2	1	1	L17
Principal Officers	2	2	-	A16
Senior Legal Analysts	2	2	-	L14
Senior Officers	2	1	1	A12/A13
Officers & others	2	1	1	A3-A7
TOTAL (existing staff only)	13	8	5	
Number of Vacant Positions				
Commissioners	3			???
Executive Legal Officer	1			L17
Senior Human Resource Officer	1			A12/A13
TOTAL (including vacancies)	18	-	-	

Table 4: SLRC Current Workforce Composition

8.1.4 SLRC STAFF AGE PROFILE

The Commission has a team of young professionals. Only three (3) employees are above 40 years of age and the rest are below 40 years old. Figure 4 below shows the age profile of the staff as of June 2024.

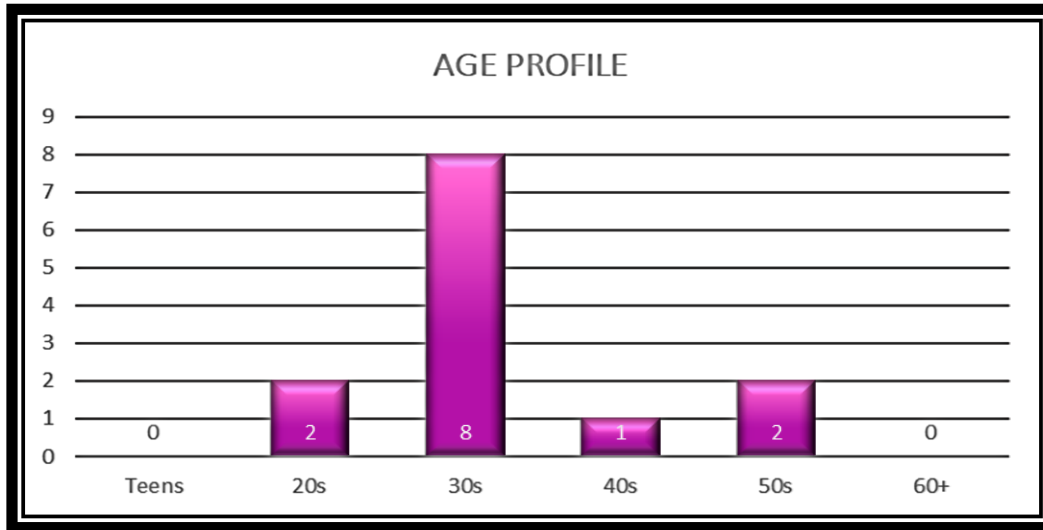


Figure 4: SLRC Staff Age Profile

8.1.5 SLRC STAFF QUALIFICATION PROFILE

The Commission employs a team of registered Lawyers who are all admitted to the Roll of Barristers and Solicitors of the Supreme Court of Samoa, and other professions in the Corporate Services Division. The qualification profile of the Commission staff as of June 2024 is shown in Figure 5 below.

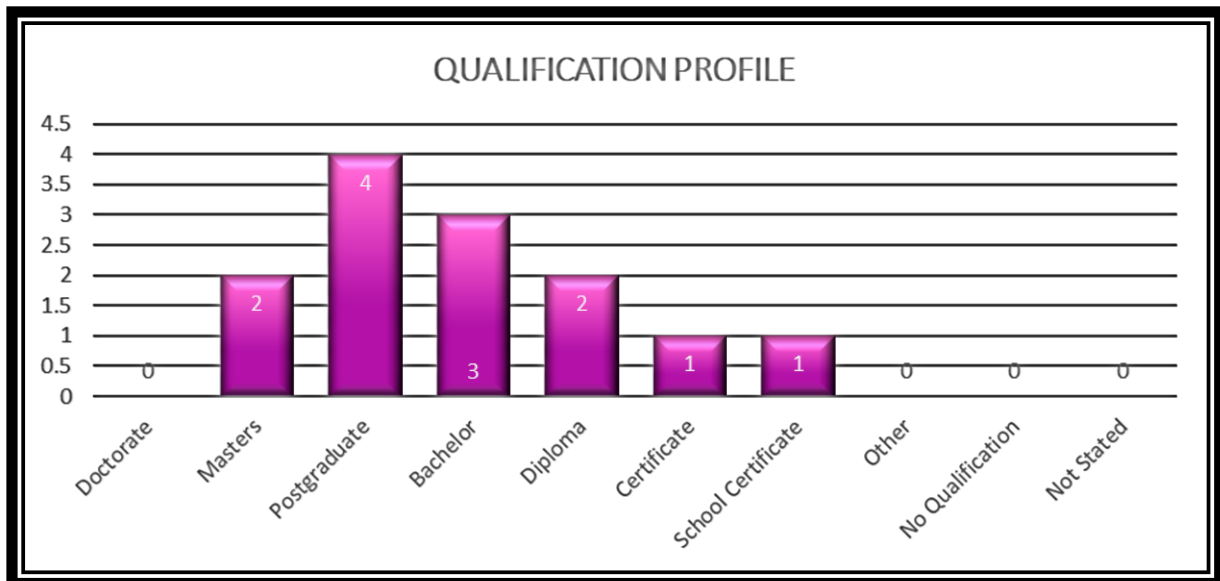


Figure 5: SLRC Staff Qualification Profile

9. TRAINING AND CAPACITY BUILDING

The Commission staff have attended the following trainings and workshops during this financial year 2023/24.

9.1 LEGAL DIVISION

TRAINING/ COURSE TITLE	PROVIDER	DURATION / DATE	LOCATION	SLRC EMPLOYEE
Professional Mediation Training Course	Samoa Law Society (Professor Nadja Alexander)	3 Days (19-21 July 2023)	MJCA Conference Room	Tapuai Leuauanae Sheliza Tapuai, Lizatalei Hakai-Stanley, Tapuala Mearold Viliamu, Hope Crichton
Pasefika Lawyers Collective – Continuing Professional Development Conference 2023	Pasefika Lawyers Collective-PLAQ, PLAN, PL(NZ), Samoa Law Society	3 Days (26-28 July 2023)	TATTE Conference Center	Legal Staff (5)
Performance Review and Planning Seminar	Samoa Law Reform Commission	1 Day (4 August 2023)	SSS Conference Room	All Staff
Consultation on the “Review of the Citizenship Investment Act (CLA) 2015	Ministry of Commerce, Industry and Labour	1 Day (7 August 2023)	MCIL Conference Room	Hope Crichton
Consultation on the Development of the Anti-Corruption Strategy	Public Service Commission	1 Day (11 August 2023)	Lava Hotel Conference Room	Aunua Uele
Law and Justice Sector Steering Committee Meeting	Law and Justice Sector Committee	1 Day (26 September 2023)	MJCA Conference Room	Tapuala Merold Viliamu
Public Service Induction Training	Public Service Commission	5 Days (30 October – 3 November 2023)	Ministry of Health Conference Room	Aunua Uele
Samoa Law and Justice Sector Steering Committee Meeting	Samoa Law and Justice Sector	1 Day (18 December 2023)	MJCA Training Room	Tapuai Leuanae Sheliza Tapuai
Talanoa and Faasoa Session – Awareness Roadshow for PMS (Senior Executives)	Public Service Commission	1 Day (29 February 2024)	Taumeasina Island Resort Conference Room	Tapuai Leuanae Sheliza Tapuai
Stakeholder Consultative Meeting on Legal and Regulatory Framework for the National E-Commerce Implementation	Ministry of Commerce, Industry and Labour	1 Day (21 March 2024)	SLRC Conference Room	Tapuai Leuanae Sheliza Tapuai, Lizatalei Hakai-Stanley, Hope Crichton
Workshop for the Review of Key Performance Indicators (KPIs)	Ministry of Finance	1 Day (27 March 2024)	Lava Hotel Conference Room	Tufuga Fagaloa Tufuga Fatu, Tapuai Leuanae Sheliza Tapuai

Monitoring and Evaluation Consultations (on FK (23) 42)	Ministry of the Prime Minister and Cabinet	1 Day (9 April 2024)	SLRC Conference Room	Tufuga Fagaloa Tufuga Fatu, Tapuai Leauanae Sheliza Tapuai, Lizatalei Hakai- Stanley
Public Service Change Management Session	Public Service Commission	7 Days (24 April – 2 May 2024)	Taumeasina Island Resort Conference Room & Mellenia Hotel Conference Room	Tapuai Leauanae Sheliza Tapuai
Talofa with a Smile Roadshow / Training	Public Service Commission	1 Day (3 May 2024)	SLRC Office	All Staff
CEO Forum Talanoa Session	Public Service Commission	1 Day (6 May 2024)	Taumeasina Island Resort Conference Room	Tufuga Fagaloa Tufuga Fatu
Performance and Ethics Workshop	Public Service Commission	1 Day (12 April 2024)	Lava Hotel Conference Room	Hope Crichton

Table 5: Training and Workshops attended by the Legal Division

9.2 CORPORATE SERVICES DIVISION

TRAINING/ COURSE TITLE	PROVIDER	DURATION / DATE	LOCATION	SLRC EMPLOYEE
Consultation for the Community Sector Plan 2023-2027	Ministry of Women, Community and Social Development	1 Day (14 July 2023)	Tooa Salamasina Hall	Tovale Filipo
Chief Accountants Forum	Ministry of Finance	1 Day (1 August 2023)	TATTE Conference Center	Leaumoana Salima Lasalo Salima, Philia Lelelimalafaga, Fugalaau Siaki
Performance Review and Planning Seminar	Samoa Law Reform Commission	1 Day (4 August 2023)	SSS Conference Room	All Staff
Consultation on the Development of the Anti-Corruption Strategy	Public Service Commission	1 Day (11 August 2023)	Lava Hotel Conference Room	Tovale Filipo
Post School Education and Training (PSET) Conference 2023	Samoa Qualifications Authority	2 Days (13-14 September 2023)	Taumeasina Island Resort Conference Room	Tovale Filipo
Special Human Resource Coordinators (HRC) Forum	Public Service Commission	1 Day (21 September 2023)	SSS Conference Room	Leaumoana Salima Lasalo Salima, Philia Lelelimalafaga, Fugalaau Siaki
Finance One Refresher Training on Purchasing/Accounts Payable, Accounts Receivable, Assets, Payroll, and Reporting Modules	Ministry of Finance	5 Days (25-29 September 2023)	CBS Building Conference Room, Level 2	Leaumoana Salima Lasalo Salima, Fugalaau Siaki

Cyber Smart Week Training	Ministry of Communication, Information and Technology	5 Days (2-6 October 2023)	Taumeasina Island Resort Conference Room	Ernest Amosa
Recordkeeping Training	Ministry of Education, Sports and Culture	2 Days (12-13 October 2023)	Culture and Arts Center	Tovale Filipo
Public Service Induction Training	Public Service Commission	5 Days (30 October – 3 November 2023)	Ministry of Health Conference Room	Malota Vili
Samoa Law and Justice Sector Steering Committee Meeting	Samoa Law and Justice Sector	1 Day (18 December 2023)	MJCA Training Room	Leaumoana Salima Lasalo Salima
Budget Refresher Workshop on Budget preparations	Ministry of Finance	1 Day (18 January 2024)	TATTE Building Conference Center	Leaumoana Salima Lasalo Salima
One-On-One consultation for “Talofa with a Smile Roadshow”	Public Service Commission	1 Day (13 March 2024)	SLRC Conference Room	Leaumoana Salima Lasalo Salima, Philia Leleimalefaga, Fugalaau Siaki
Launch of the Rapid Response Manufacturing in the Pacific (Phase III) Project	Ministry of Natural Resources and Environment	1 Day (21 March 2024)	NEOC Building Tuanaimato	Leaumoana Salima Lasalo Salima
Workshop for the Review of Key Performance Indicators (KPIs)	Ministry of Finance	1 Day (27 March 2024)	Lava Hotel Conference Room	Leaumoana Salima Lasalo Salima
Monitoring and Evaluation Consultations (on FK (23) 42)	Ministry of the Prime Minister and Cabinet	1 Day (9 April 2024)	SLRC Conference Room	Leaumoana Salima Lasalo Salima
Public Service Change Management Session	Public Service Commission	7 Days (24 April – 2 May 2024)	Taumeasina Island Resort Conference Room & Mellenia Hotel Conference Room	Leaumoana Salima Lasalo Salima
Talofa with a Smile Roadshow / Training	Public Service Commission	1 Day (3 May 2024)	SLRC Office	All Staff
Samoa National Data Governance Framework Workshop	Ministry of Communication, Information and Technology	2 Days (8-9 May 2024)	Tanoa Tusitala Hotel Conference Room	Ernest Amosa
Cabinet Liaison Officers Forum	Ministry of Prime Minister and Cabinet	1 Day (21 June 2024)	Samoa Culture and Arts Center	Florita Tupai
Special Human Resource Coordinators (HRC) Forum	Public Service Commission	1 Day (27 June 2024)	Samoa Shipping Services Conference Room	Leaumoana Salima Lasalo Salima

Table 6: Training and Workshops attended by the Corporate Services Division

9.3 IN-HOUSE TRAINING SESSIONS

TRAINING/ COURSE TITLE	TRAINER	DURATION	LOCATION	SLRC EMPLOYEE
Induction/Refresher Training for Legal Team	Tapuai Leauanae Sheliza Tapuai, AED	1 Day	SLRC Conference Room	Hope Crichton, Aunoa Uele
HR Induction Training	Philia Leleimalefaga, PAAO & Fugalaau Siaki, SAAO	1 Day	SLRC Conference Room	Aunoa Uele
Authority to appoint & re-shuffle Cabinet Ministers	Tapuai Leauanae Sheliza Tapuai, AED	1 Day	SLRC Conference Room	Legal Team
Legal Research – Lefagaoalii matter	Tapuai Leauanae Sheliza Tapuai, AED	1 Day	SLRC Conference Room	Legal Team
6 Stages of the Law Reform Process	Tapuai Leauanae Sheliza Tapuai, AED	1 Day	SLRC Conference Room	Legal Team

Table 7: In-House Training Sessions

10. FINANCIAL AND ACCOUNTS

10.1 LOCAL BUDGET

The approved estimate for the Commission for FY2023/24 was \$1,506,886 appropriated for Personnel, Operating Expenditure and Transactions on Behalf of the States.

The overall spending of the approved estimate for FY2023/24 was within the approved budget but not fully utilized due to unfilled vacant Legal Positions inclusive of Executive Director, two Principal Legal Analysts, one Senior Legal Analyst, and two Legal Analysts.

The Commission was fortunate to have the chance to utilize the bulk of these savings through the proper virement process with MoF and Cabinet directives, to assist with funding the administration of the nineteen (19) public and two (2) stakeholder consultations for the Review of Arms Ordinance 1960. In addition, part of these savings were used by the Commission to procure a new vehicle for the office in replacement of the office's written-off old Hilux pickup which was used by the office since its establishment in 2008.

GOVERNMENT OF SAMOA
SAMOA LAW REFORM COMMISSION
EXPENDITURE REPORT FOR PERIOD ENDING 30 JUNE 2024
(Non-Audited Financial Report)

OUTPUTS PROVIDED BY MINISTRY	ACTUALS	COMMITMENTS	YTD + COM	UTL %	BUDGET	FUNDS REMAIN.
4610 – Policy Advice to the Responsible Minister						
Personnel						
703100 – Salaries	-	-	-	0%	350,956	350,956
703101 – Public Servants Salaries	341,042	-	341,042	0%	-	- 341,042
703300 – Employer Contribution	-	-	-	0%	51,714	51,714
703301 – NPF	40,025	-	40,025	0%	-	- 40,025

703302 – ACC	4,002	-	4,002	0%	-	-	4,002
703401 – Telephone Allowance	900	-	900	25%	3,600		2,700
705200 – End of Term Contracts	-	-	-	0%	8,314		8,314
705204 – Severance Payment	9,534	-	9,534	777%	1,227	-	8,307
705800 – Long Service Leave Benefits	-	-	-	0%	35,468		35,468
705801 – Long Service Leave Benefits	35,468	-	35,468	0%	-	-	35,468
707103 – Local Travelling Allowance	700	-	700	99%	709		9
707109 – Higher Duty Allowance	11,391	-	11,391	48%	23,955		12,564
TOTAL	443,061	-	443,061	93%	475,943		32,882
Operating							
722301 – Buildings – Repairs & Maintenance	6,043	-	6,043	87%	6,950		907
722503 – Fuel (Min to Min)	1,830	-	1,830	87%	2,105		275
722601 – Repairs & Maintenance	-	-	-	0%	2,500		2,500
722602 – Consumables- Fittings	120	-	120	100%	120		-
722701 – Repairs & Maintenance- Office Equipments	-	-	-	0%	2,500		2,500
723103 – Other	504	-	504	0%	-	-	504
725501 – Facility Hire	16,265	-	16,265	127%	12,800	-	3,465
725902 – Water Coolers – Rents & Leases	518	-	518	87%	596		78
728101 – Subscriptions to Publications	874	-	874	104%	840	-	34
728201 – Personnel Membership Fees & Subs.	3,750	-	3,750	38%	10,000		6,250
734307 – Technician	-	-	-	0%	20,000		20,000
740102 – Incidental Allowances	-	-	-	0%	1,800		1,800
740104 – Clothing Allowances	-	-	-	0%	1,800		1,800
740111 – Transit Allowance	-	-	-	0%	1,800		1,800
740201 – Accommodation	17,524	-	17,524	123%	14,300	-	3,224
740202 – Meals	10,133	-	10,133	152%	6,660	-	3,473
740301 – Passports	-	-	-	0%	340		340
740302 – Permits & Visas	-	-	-	0%	500		500
740401 – Air Fares	-	-	-	0%	4,500		4,500
740403 – Boat Fares	3,660	-	3,660	236%	1,550	-	2,110
741104 – Transport Allowance	31,240	-	31,240	0%	-	-	31,240
746201 – Internet, Broadband & Email	1,300	-	1,300	87%	1,495		195
746401 – Postage	-	-	-	0%	90		90
746402 – Courier	-	-	-	0%	180		180
752101 – Medical Consumable Supplies	-	-	-	0%	450		450
758101 – Stationery	8,948	-	8,948	663%	1,350	-	7,598
758102 – Bulk Paper Supplies	1,889	-	1,889	94%	2,000		111
758201 – Advertisements(Media)	3,282	-	3,282	49%	6,730		3,448
758301 – Printing & Publications	15,620	-	15,620	156%	10,000	-	5,620
761101 – Catering & Refreshments	28,416	-	28,416	102%	27,821	-	594
761102 – Tea Supplies	672	-	672	7632%	9	-	663
761103 – Beverage & Water	1,680	-	1,680	0%	-	-	1,680
764101 – General Supplies	1,835	-	1,835	131%	1,404	-	430
764102 – General Services	94	-	94	100%	94		-
768201 – Faaaloologa mo Nuu	7,800	-	7,800	0%	-	-	7,800
768202 – Meaalofoa mo le Failotu	2,000	-	2,000	0%	-	-	2,000
770101 – Accountable Advances – Clearing Account	-	-	-	0%	21,400		21,400
TOTAL	165,996	-	165,996	101%	164,684	-	1,312

Capital						
786101 – Motor Vehicles – Fully Paid	130,435	-	130,435	94%	138,503	8,068
787101 – Furniture & Fittings	1,739	-	1,739	89%	1,950	211
788103 – Printers	30,000	-	30,000	92%	32,785	2,785
788108 – Other	1,587	-	1,587	87%	1,825	238
788201 – Computer	3,465	-	3,465	87%	3,985	520
788304 – Other	104	-	104	87%	120	16
TOTAL	167,330	-	167,330	93%	179,168	11,837
Sub Total	776,388	-	776,388	95%	819,795	43,407
4691 – Central Service Unit						
Personnel						
703100 – Salaries	-	-	-	0%	296,578	296,578
703101 – Public Servants Salaries	296,503	-	296,503	0%	-	- 296,503
703300 – Employer Contribution	-	-	-	0%	34,519	34,519
703301 – NPF	32,029	-	32,029	0%	-	- 32,029
703302 – ACC	3,203	-	3,203	0%	-	- 3,203
705403 – Long Service Leave	-	-	-	0%	3,285	3,285
705800 – Long Service Leave Benefits	-	-	-	0%	8,412	8,412
705801 – Long Service Leave Benefits	9,002	-	9,002	0%	-	- 9,002
707103 – Local Travelling Allowance	1,100	-	1,100	55%	2,000	900
707109 – Higher Duty Allowance	16,188	-	16,188	463%	3,500	- 12,688
TOTAL	358,025	-	358,025	103%	348,294	- 9,731
Operating						
722501 – Repairs & Maintenance	3,330	-	3,330	111%	3,000	- 330
722502 – Spare Parts	4,781	-	4,781	239%	2,000	- 2,781
722503 – Fuel (Min to Min)	14,084	-	14,084	141%	10,000	- 4,084
722504 – Fuel(Third Parties)	261	-	261	0%	-	- 261
722505 – Vehicle Fluids	1,206	-	1,206	0%	-	- 1,206
722601 – Repairs & Maintenance	70	-	70	0%	-	- 70
722602 – Consumables- Fittings	96	-	96	0%	-	- 96
722701 – Repairs & Maintenance- Office Equipment	845	-	845	47%	1,800	955
722702 – Consumables/Peripherals	163	-	163	3%	5,000	4,837
725902 – Water Coolers – Rents & Leases	1,574	-	1,574	79%	2,000	426
728102 – Subscription to internet Services	522	-	522	0%	-	- 522
734102 – Vehicle Insurance	7,356	-	7,356	100%	7,390	34
734201 – Fees & Registrations	1,037	-	1,037	69%	1,500	463
734202 – Licenses	8,963	-	8,963	187%	4,790	- 4,173
734309 – Other – Professional Services	191	-	191	0%	-	- 191
734402 – Fees	117	-	117	0%	-	- 117
740402 – Taxi/Bus Fares	8	-	8	0%	-	- 8
740403 – Boat Fares	380	-	380	0%	-	- 380
746101 – Telephone	4,354	-	4,354	81%	5,400	1,046
746103 – Cellphones	25	-	25	0%	-	- 25
746201 – Internet, Broadband & Email	13,000	-	13,000	64%	20,400	7,400
752101 – Medical Consumable Supplies	-	-	-	0%	150	150
758101 – Stationery	3,092	-	3,092	229%	1,350	- 1,742

758102 – Bulk Paper Supplies	834	-	834	83%	1,000	166
758103 – Printers/Photocopiers Supplies	6,699	-	6,699	74%	9,000	2,301
758201 – Advertisements(Media)	3,048	-	3,048	102%	3,000	48
758301 – Printing & Publications	-	-	-	0%	3,000	3,000
761102 – Tea Supplies	3,007	-	3,007	150%	2,000	1,007
761103 – Beverage & Water	661	-	661	0%	-	661
764101 – General Supplies	4,151	-	4,151	308%	1,350	2,801
764102 – General Services	542	-	542	0%	-	542
773101 – Petty Cash	-	-	-	0%	500	500
TOTAL	84,397	-	84,397	100%	84,630	233
Capital						
TOTAL	-	-	-	0%	-	-
Sub Total	442,422	-	442,422	102%	432,924	9,498
TRANSACTION ON BEHALF OF THE STATE						
G01 – Rents & Leases (Government Building	167,900	-	167,900	100%	167,900	0
Q01 – VAGST Output Tax	76,235	-	76,235	135%	56,267	19,968
U19 – Community Consultations	22,514	-	22,514	75%	30,000	7,486
TOTAL	266,649	-	266,649	105%	254,167	12,482
GENERAL LEDGER SUMMARY						
Output Provided by Ministry	1,218,810	-	1,218,810	97%	1,252,719	33,909
Transaction on Behalf of the State	266,649	-	266,649	105%	254,167	12,482
TOTAL	1,485,459	-	1,485,459	99%	1,506,886	21,427
SUMMARY BY BUDGET CATEGORY						
CAPITAL – Capital	167,330	-	167,330	93%	179,168	11,837
OPERATING – Operating	250,393	-	250,393	100%	249,314	1,079
PERSONNEL – Personnel	801,087	-	801,087	97%	824,237	23,150
TOTAL	1,218,810	-	1,218,810	97%	1,252,719	33,909

Table 8: Expenditure report for the period ending 30 June 2024

10.2 FINANCIAL ASSISTANCE (GRANT)

The Commission did not have any donor funding assistance during this financial year 2023/24. However, negotiations to seek financial assistance from the TAUTAI Funding Facility through the Public Service Commission were started in this financial year. The SLRC submitted a formal request to PSC asking for assistance through the TAUTAI program to fund a Consultant or a Team of Consultants to conduct a comprehensive capacity-building program for the Legal Team in SLRC, as well as development of a Law Reform Training Manual.

Before the end of June 2024, the PSC got back to us with a great news that TAUTAI is agreed to fund a capacity building program for the Samoa Law Reform Commission Legal Team and will be done before the end of 2024. This was a milestone achieved for Commission and we greatly appreciate the kind assistance from PSC and specifically the TAUTAI Facility.

11. SLRC ORGANIZATION STRUCTURE

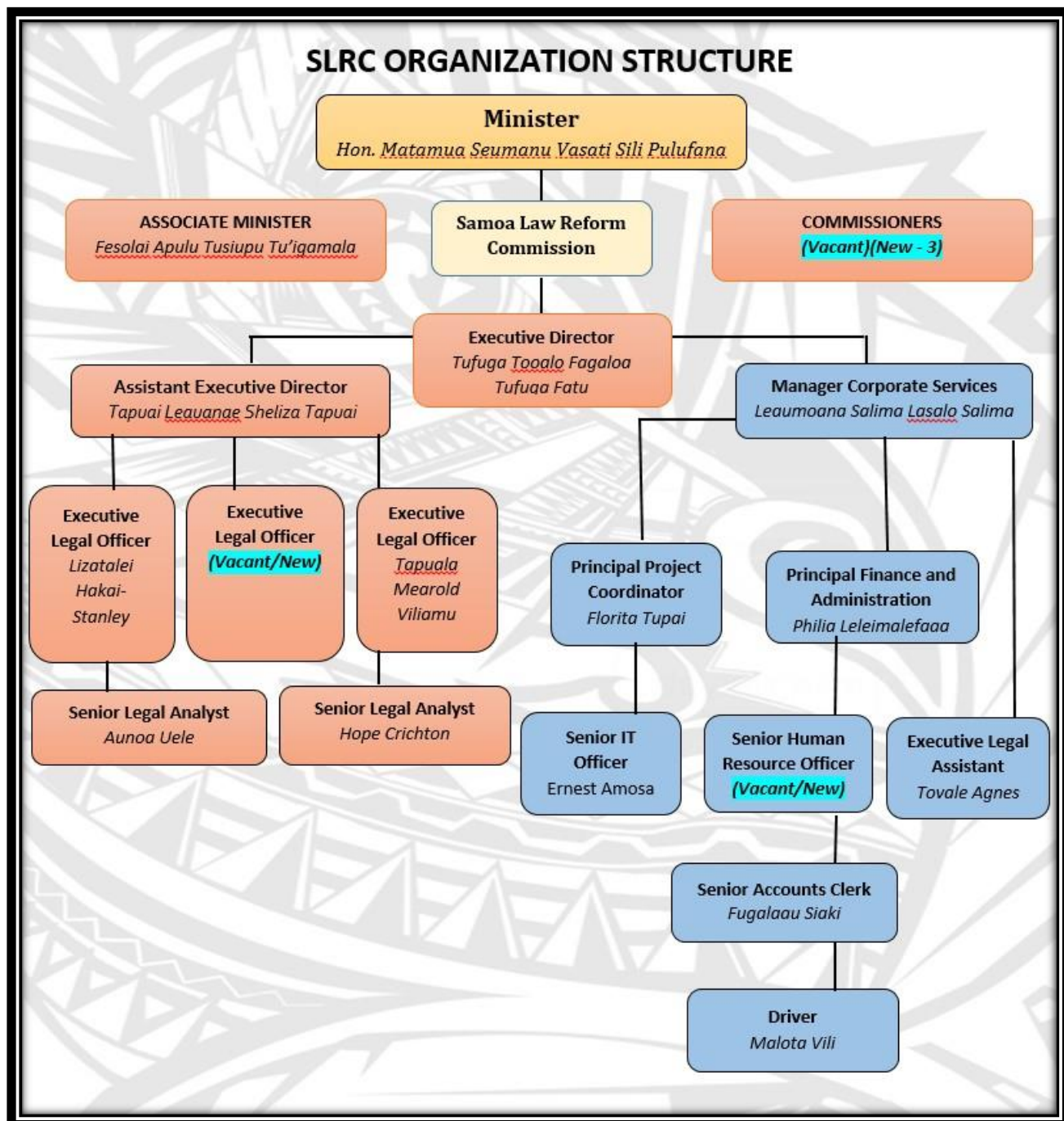


Figure 6: SLRC Latest Organizational Structure